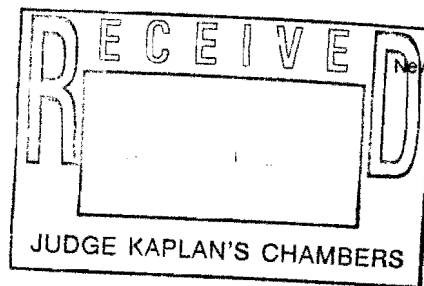


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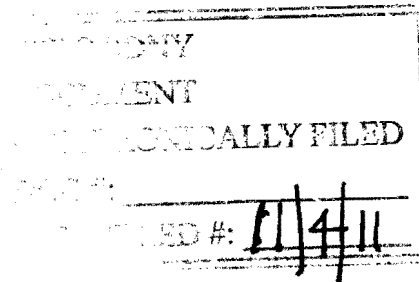


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November 3, 2011

VIA HAND DELIVERY

Honorable Lewis A. Kaplan
United States District Judge
United States District Court for the Southern District of New York
United States Courthouse
500 Pearl Street
New York, NY 10007



Re: Thomas v. Compass Group and Archcare, 11-cv-02533 (LAK)

Dear Judge Kaplan:

This firm represents defendant Compass Group USA, Inc. ("Compass") in the above-referenced action. On October 21, 2011, Compass filed a motion to enforce the parties' settlement agreement. We write to advise the Court that the parties have agreed to move forward with the original settlement, and therefore that motion is moot. Plaintiff Linda Thomas executed the settlement agreement, and the parties will be filing a Stipulation of Dismissal with the Court as soon as the settlement check is tendered to Ms. Thomas, which we expect to happen within the next few weeks.

Thank you for Your Honor's cooperation throughout this case.

Respectfully submitted,

SEYFARTH SHAW LLP

Mary E. Ahrens
Mary E. Ahrens

cc: Stewart Lee Karlin, Esq. (via US Mail and email)
Michael Collins, Esq. (via US Mail and email)
Edward Cerasia, Esq. (via email)

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Motion to enforce settlement agreement denied as moot
LEWIS A. KAPLAN, U.S.D.J.
11/4/11

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